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RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 7

PATENT  
0649-0771P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MASUBUCHI, Tatsuo et al. Conf.: 5407  
Appl. No.: 09/769,432 Group: 1712  
Filed: January 26, 2001 Examiner: Short, Patricia  
For: THERMOPLASTIC ELASTOMER COMPOSITION

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents  
Washington, DC 20231

February 14, 2003

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated August 14, 2002 of the Primary Examiner finally rejecting claims 1-10.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.18(c).

The fee has been calculated as shown below:

☒ No extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$200.00 is required for the full period of the underequested extension of time.

☐ An extension of time was previously obtained from the Final Rejection was previously rejected and the fee of \$200.00 is required for the full period of the underequested extension of time.

April 11, 2007

☐ Applicant claims small entity status. See 37 C.F.R. § 1.127.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☐ Large entity - \$320.00

☐ Small Entity - \$160.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,250.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check(s) in the amount of \$1,250.00 is/are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

John W. Bailey, #42,881

JWB/GMD/gh  
0649 0771P

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